

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF WASHINGTON

UNITED STATES OF AMERICA,

Plaintiff,

v.

HI-POINT, MODEL JCP, .40 CALIBER
PISTOL, SERIAL NUMBER: X7142266,
and SIX ROUNDS OF AMMUNITION,

Defendants.

NO. 2:15-CV-00274-JLQ

FINAL ORDER OF FORFEITURE

BEFORE THE COURT is the Government's Motion for Entry of a Final Order of Forfeiture (ECF No. 7). On October 5, 2015, the Government filed a Verified Complaint for Forfeiture In Rem, alleging the Defendant pistol and ammunition were subject to forfeiture to the Government pursuant to 18 U.S.C. § 924(d)(1). *See* ECF No. 1. The court has jurisdiction over this matter by virtue of 28 U.S.C. §§ 1345 and 1355. Venue is proper pursuant to 28 U.S.C. § 1395.

The Defendant property being forfeited is described as follows:

- 1) Hi-Point, Model JCP, .40 caliber pistol, Serial Number: X7142266; and
- 2) Approximately six rounds of .40 caliber ammunition, bearing the head-stamp "Blazer."

On November 6, 2015, the Bureau of Alcohol, Tobacco, Firearms and Explosives ("ATF") executed the Warrant of Arrest In Rem. The returned warrant was filed with the court on November 6, 2015. *See* ECF No. 5.

Notice of Civil Forfeiture Action was posted on the official government website

1 beginning October 7, 2015, through November 5, 2015, as required by Rule
2 G(4)(a)(iv)(C) of the Supplemental Rules for Admiralty or Maritime Claims and Asset
3 Forfeiture Actions, as evidenced by the Notice of Publication filed herein on November
4 6, 2015. ECF No. 6, 6-1, and 6-2. The claim period expired no later than December 6,
5 2015. To date, no claims have been received or filed pursuant to the internet posting.
6 ATF did not identify any potential claimants other than Defendant Dennis Howard
7 Estepp.

8 On July 2, 2014, Estepp and the Government entered into a Plea Agreement filed
9 in the related Eastern District of Washington criminal case, *United States v. Dennis*
10 *Howard Estepp*, No. 2:14-CR-00034-JLQ. *See* ECF No. 7-2. Estepp agreed to the
11 forfeiture of the Defendant property as part of the Plea Agreement. Therefore, the
12 Government did not provide direct notice of this forfeiture action. As it appears no timely
13 claims have been made to the Defendant property, the Motion is granted.

14 **IT IS HEREBY ORDERED:**

- 15 1. The Government's Motion (ECF No. 7) is **GRANTED**. The Defendant
16 property is hereby forfeited to the United States of America, and no right,
17 title, or interest shall exist in any other person.
18 2. The United States of America shall dispose of the forfeited property in
19 accordance with law.

20 **IT IS SO ORDERED.** The Clerk is hereby directed to enter this Order and furnish
21 copies to counsel.

22 **DATED** this 16th day of December, 2015.

23 s/ Justin L. Ouackenbush
24 JUSTIN L. QUACKENBUSH
25 SENIOR UNITED STATES DISTRICT JUDGE
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